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The Hon. Mary Alice Theiler

3 AUG 16 2016

4 AT SEATTLE
CLERK U.S. DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

6 UNITED STATES DISTRICT COURT FOR THE
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
10

11 Plaintiff,

12 v.

13 MOHAMED A. KHALIF,

14 Defendant.

CASE NO.

MT16-361

COMPLAINT for VIOLATION

18 U.S.C. §§ 922(g)(1)

15 BEFORE United States Magistrate Judge Mary Alice Theiler, Seattle, Washington.

16 The undersigned complainant being duly sworn states:
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18
19 **Count One**

20 **Felon in Possession of a Firearm**

21 On or about July 1, 2016, in the City of Auburn, Washington, within the Western
22 District of Washington, MOHAMED A. KHALIF, having been convicted of the following
23 crimes punishable by imprisonment for a term exceeding one year, to wit:

24 a. *Felon in Possession of a Firearm*, cause number CR11-002-JCC,
25 in the United States District Court for the Western District of
Washington, on or about July 29, 2011;

26 b. *Robbery in the Third Degree*, cause number 050533118, in
27 Multnomah County, Oregon, on or about October 11, 2007; and
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Complaint: KHALIF - 1

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

1 c. *Forgery*, cause number 08-1-02871-9, in King County,
2 Washington, on or about June 3, 2008;

3 did knowingly possess, in and affecting interstate and foreign commerce, the following
4 firearms, to wit: a Springfield, Model XD 45, .45 caliber handgun, bearing serial number
5 XD707818, which had been shipped and transported in interstate and foreign commerce.

6 All in violation of Title 18, United States Code, Section 922(g)(1).
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8 **Count Two**

9 **Felon in Possession of Ammunition**

10 On or about July 1, 2016, in the City of Auburn, Washington, within the Western
11 District of Washington, MOHAMED A. KHALIF, having been convicted of the following
12 crimes punishable by imprisonment for a term exceeding one year, to wit:

13 a. *Felon in Possession of a Firearm*, cause number CR11-002-JCC,
14 in the United States District Court for the Western District of
15 Washington, on or about July 29, 2011;

16 b. *Robbery in the Third Degree*, cause number 050533118, in
17 Multnomah County, Oregon, on or about October 11, 2007; and

18 c. *Forgery*, cause number 08-1-02871-9, in King County,
19 Washington, on or about June 3, 2008;

20 did knowingly possess, in and affecting interstate and foreign commerce, the following
21 ammunition, to wit: eighteen (18) .327 caliber rounds of Federal Premium .327 magnum
22 (head stamped with FC Federal .327 MAG) ammunition, which had been shipped and
23 transported in interstate and foreign commerce.

24 All in violation of Title 18, United States Code, Section 922(g)(1).
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Complaint: KHALIF - 2

UNITED STATES ATTORNEY
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SEATTLE, WASHINGTON 98101
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1 **Count Three**

2 **Felon in Possession of a Firearm**

3 On or about July 1, 2016, in the City of Auburn, Washington, within the Western
4 District of Washington, MOHAMED A. KHALIF, having been convicted of the following
5 crimes punishable by imprisonment for a term exceeding one year, to wit:

- 6 a. *Felon in Possession of a Firearm*, cause number CR11-002-JCC,
7 in the United States District Court for the Western District of
8 Washington, on or about July 29, 2011;
9 b. *Robbery in the Third Degree*, cause number 050533118, in
10 Multnomah County, Oregon, on or about October 11, 2007; and
11 c. *Forgery*, cause number 08-1-02871-9, in King County, Washington,
12 on or about June 3, 2008;

13 did knowingly possess, in and affecting interstate and foreign commerce, the following
14 firearms, to wit: a Ruger .327 caliber revolver, bearing serial number 545-40763, which
15 had been shipped and transported in interstate and foreign commerce.

16 All in violation of Title 18, United States Code, Section 922(g)(1).

17 **I, Andrew Wasmund, being first duly sworn, do hereby depose and say:**

18 1. I am an "investigative or law enforcement officer of the United States"
19 within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of
20 the United States who is empowered by law to conduct investigations of, and to make
21 arrests for, offenses enumerated in Title 18, United States Code, Section 2516.

22 2. I am a Special Agent (SA) with the United States Department of Justice
23 (DOJ), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and have been so
24 employed since December 29th, 2013. I am currently assigned to the Seattle Field
25 Division Headquarters, in Seattle, Washington where your affiant is assigned to the Gun
26 Trafficking Group. In this capacity, I enforce federal criminal laws relating to the
27 possession and trafficking of firearms. Prior to my employment with ATF, I served on
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1 active duty in the U.S. Army Infantry. I also completed a BA in Criminal Justice from
2 Concordia University St. Paul, Minnesota.

3 3. I received formal training in the Federal Law Enforcement Training Center
4 in Glynco, Georgia, Criminal Investigators Training Program, which familiarized me with
5 basic narcotic investigations, drug identification and detection, familiarization with United
6 States narcotics laws, financial investigations and money laundering, identification and
7 seizure of drug-related assets, organized crime investigations, physical and electronic
8 surveillance, and undercover operations. In addition, I successfully completed a fourteen
9 week ATF Special Agent Basic Training course in Glynco, Georgia, which included
10 comprehensive, formalized instruction in, among other things: firearms identification,
11 firearms trafficking, arson and explosives, and tobacco and alcohol diversion.

12 4. This affidavit is made based upon my personal knowledge, training,
13 experience and investigation, as well as upon information provided to me and my review
14 of reports prepared by other law enforcement personnel. This affidavit is made for the
15 purpose of establishing probable cause for this Complaint and thus does not include each
16 and every fact known to me concerning this investigation.

17 5. This affidavit is made in support of a complaint against Mohamed Abdullahi
18 KHALIF for being a Felon in Possession of a Firearm, in violation of Title 18, United
19 States Code, Section 922(g)(1).

20 6. On July 1, 2016, Auburn Police Department (APD) Sergeant Betz, initiated
21 a traffic stop on a Chevrolet Tahoe, license plate 392YHE, for having defective stop lamps
22 in the 1000 block of 18th Street NE Auburn, Washington, 98002. The vehicle stopped and
23 the driver, later identified as MOHAMED KHALIF (FBI # 741978XB6) by Washington
24 State Identification Card, immediately fled and began running on foot away from the
25 vehicle. APD officers pursued KHALIF, caught him a short distance away from the
26 vehicle, and placed him under arrest. APD officers read KHALIF his constitutional rights
27 and he stated he understood his rights.
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1 7. APD Officers searched KHALIF, incident to arrest, and found the following
2 on his person: eighteen (18) .327 caliber rounds of Federal Premium .327 magnum
3 ammunition (head stamped with FC .327 Federal Mag, approximately 6 grams of heroin,
4 approximately 6 grams of cocaine, approximately 6 pills of XANAX (broken pieces), .008
5 g/1 dose of SUBOXON (still in unopened packaging), and 4 pills of Oxycodone.

6 8. While KHALIF was being arrested the passenger in the vehicle remained in
7 place. APD officers identified the passenger as S.T-S., the legally registered owner of the
8 vehicle. S.T-S. stated he recently picked KHALIF up at a local gas station and allowed
9 him to drive his vehicle. S.T-S. stated when KHALIF entered the vehicle he placed a red
10 bag behind the driver's seat. KHALIF denied any knowledge of the bag when asked by
11 APD officers. S.T-S. gave APD officers permission to search the vehicle and its contents.
12 Inside the red bag APD officers found a Springfield, Model XD 45, .45 caliber handgun,
13 bearing serial number XD707818. This firearm was previously reported stolen. A
14 magazine, with ten (10) .45 caliber rounds was inserted into the handgun. APD officers
15 also found a pair of 34 waist pants in the red bag. APD officers noted that KHALIF was
16 wearing pants size 35-39 with a belt and S.T-S. was heavier set, not likely able to fit into
17 the pants.

18 9. APD officers verified S.T-S. had a valid driver's license and allowed him to
19 leave in his vehicle. Shortly after APD officers left the scene a 911 call was received
20 stating there was a firearm found at the location of the traffic stop. APD officers returned
21 and found a revolver located in a bark landscaped area close to where the traffic stop had
22 occurred. Reporting party P.C. told officers after the traffic stop neighbors had found the
23 firearm and she did not believe anyone had touched the revolver. APD officers secured the
24 firearm and identified it as a Ruger .327 caliber revolver, bearing serial number 545-
25 40763. The revolver was loaded with 6 rounds of ammunition. This firearm was
26 previously reported as stolen.
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1 10. The location of the firearm was in close proximity to where KHALIF fled
2 officers. In addition, the uncommon caliber of the revolver (.327) matched the caliber of
3 ammunition found on KHALIF.

4 11. After reviewing criminal history documents, I have been able to confirm the
5 KHALIF has been convicted of the following felony crimes as an adult:

- 6 a. *Felon in Possession of a Firearm*, cause number CR11-002-JCC, in
7 the United States District Court for the Western District Of
8 Washington, on or about July 29, 2011;
9 b. *Robbery in the Third Degree*, cause number 050533118, in
10 Multnomah County, Oregon, on or about October 11, 2007; and
11 c. *Forgery*, cause number 08-1-02871-9, in King County, Washington,
12 on or about June 3, 2008.

13 Each of the crimes listed above were punishable by a term of imprisonment exceeding one
14 year.

15 12. S/A David Cline, with the Bureau of Alcohol, Tobacco, Firearms, and
16 Explosives, has received specialized training in the recognition and identification of
17 firearms and ammunition and their place of manufacture. S/A Cline has reviewed
18 information on the Ruger .327 caliber revolver, bearing serial number 545-40763 and the
19 Springfield, Model XD 45, .45 caliber handgun, bearing serial number XD707818, and
20 determined that both are firearms according to 18 U.S.C. 921 (a)(3) and that they were not
21 manufactured in the state of Washington. As a result, the firearm must have traveled in/or
22 affected interstate or foreign commerce in order to be possessed in the state of
23 Washington.

24 13. S/A David Cline has reviewed information on the eighteen (18) .327 caliber
25 rounds of Federal Premium .327 magnum (FC Federal .327 MAG) ammunition and
26 determined it is ammunition according to 18 U.S.C. 921 (a)(3) and that it was not
27 manufactured in the state of Washington. As a result, the firearm must have traveled in/or
28

1 affected interstate or foreign commerce in order to be possessed in the state of
2 Washington.

3 14. Based on the aforementioned facts, I believe that there is probable cause to
4 believe that MOHAMED A. KHALIF has committed the crimes of being a *Felon in*
5 *Possession of a Firearm* and *Felon in Possession of Ammunition*, in violation of Title 18,
6 United States Code, Section 922(g)(1).

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8 
9 ANDREW WASMUND, Complainant
10 Special Agent, ATF
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12 Based on the Complaint and Affidavit sworn to before me, and subscribed in my
13 presence, the Court hereby finds that there is probable cause to believe the defendant
14 committed the offense set forth in the Complaint.

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16 DATED this 16 day of August, 2016.

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18 
19 MARY ALICE THEILER
20 United States Magistrate Judge
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